

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF ARKANSAS
JONESBORO DIVISION**

MARCO ANTONIO VENEGAS, *et al.*, on
behalf of themselves and all others similarly situated,

Plaintiffs,

vs.

Case No. 3:13-cv-00036-SWW

MURRAY DRYWALL AND INSULATION OF
TEXAS, INC. and LUCAS ENTERPRISES, INC.,

Defendants.

**PROPOSED ORDER GRANTING JOINT MOTION FOR CERTIFICATION OF
COLLECTIVE ACTION CLASS AND ISSUANCE OF NOTICE**

Before the Court is the Joint Motion for Certification of Collective Action Class and Issuance of Notice filed by Plaintiffs and Defendant Murray Drywall and Insulation of Texas, Inc. The Court finds that the Parties reached a settlement of this matter, including agreements on the definition of a collective action class and on the form of the notice to collective action class members. The Court preliminarily approved the settlement and the proposed form of Notice to the collective action class members on November 26, 2013. (Dkt. 39.) The Parties now move for certification of the collective action class under 29 U.S.C. § 216(b) and for issuance of notice to the collective action class members. The Parties' Motion is well taken and should be granted.

IT IS THEREFORE ORDERED ADJUDGED AND DECREED that the Court certifies the collective action class defined as:

Generally, all non-exempt employees of Lucas Enterprises, Inc. who performed work at the NEA Baptist Memorial Hospital construction site located in Jonesboro, Arkansas from November 28, 2011 through February 28, 2013, who were not paid time and one-half their hourly rate for all hours worked over 40 in a workweek. The Class is further defined specifically as the following persons: Oscar Acosta, Albino Balderas, Elias Balderas, Alberto Casillas, Nataneal (Natalia/Natelino) Diaz, Oscar Diaz, John Hazerd, Armando Hernandez, Otziel

Hernandez, Victor Hernandez, Salvador Ibarra, Raynaldo Rivas (Cruz), Garret Vinning, and Marco Venegas.

The Court further orders the Settlement Administrator to issue notice to the class members in the form attached to the Settlement Agreement.

DATED this 3rd day of December, 2013.

/s/Susan Webber Wright
UNITED STATES DISTRICT JUDGE